

# CLASSIFIED WILDLIFE HABITAT PROGRAM

The Classified Wildlife Habitat Program was created to address Title 6-1.1-6.5 of the Indiana Code, entitled “*Assessment of Certain Wildlife Habitats*”, administered by the Indiana Department of Natural Resources, Division of Fish and Wildlife. **The goal of the program is to encourage landowners to develop, save and maintain quality wildlife habitat.**

## *THE BENEFITS*

Wildlife habitat loss is the single greatest threat to the survival of all wildlife species. Intensive agriculture, urban sprawl and industrial development are removing wildlife habitat at an alarming rate. By classifying lands as wildlife habitat, landowners make a commitment to set aside land for wildlife and to maintain the habitat in a condition suitable for the intended wildlife species. The incentives for landowners to classify land and maintain quality wildlife habitat are:

1. The reduction of the assessed value of classified lands to \$1 per acre for property tax purposes,
2. The development of a wildlife management plan specifically tailored to meet the habitat and management needs of the wildlife species of interest, and;
3. Free technical advice and assistance.

The owner of classified lands does not relinquish ownership or control of his property, and the Division of Fish and Wildlife does not become connected in any way with the ownership of the land.

Classified lands are assessed at \$1 per acre for property tax purposes, and property taxes are paid on that assessment. Ditch assessment, because of legal drain status, must be paid in full.

Classified lands must be protected from fire, cropping, mowing, and grazing by domestic livestock. These practices may be used on classified areas for the purpose of maintaining wildlife habitat if specifically detailed in the wildlife management plan or specified in a special permit issued by the Division of Fish and Wildlife.

**CLASSIFIED  
WILDLIFE HABITAT**

**PRIVATE PROPERTY**

*HELPING MAINTAIN OUR  
WILDLIFE RESOURCES*

Division of Fish and Wildlife  
Indiana Department of Natural Resources

## ***DO YOU QUALIFY?***

A parcel of land may be classified as:

- A. **Wildlife Habitat** if it contains at least 15 acres of which less than 10 acres are “native forest land” or “forest plantation” as defined by the Classified Forest Act; or
- B. **Riparian Land** if the land is streambed or vegetated land adjacent to a streambed, not extending more than 100 feet landward from the line of non-aquatic vegetation.

**In addition**, a parcel of land may be classified as wildlife habitat or riparian land only if:  
It contains a good stand of vegetation capable of supporting wildlife species;

- 1. It is conducive to wildlife management;
- 2. It does not contain a dwelling or other usable building;
- 3. No part lies within a licensed shooting preserve; and
- 4. The landowner enters into an agreement establishing minimum standards of wildlife management.

## ***ENROLLING LAND***

The first step to enrolling land in the Classified Wildlife Habitat Program is to contact your District Wildlife Biologist. After answering any questions you might have, the biologist will set up an appointment to meet with you and inspect your land. During the visit, the biologist will discuss your wildlife objectives, management needs, and explain the program and application process in detail. The biologist will then prepare a detailed wildlife management plan for the area to be classified, incorporating your wildlife interests and habitat management needs. This plan must be agreed to by both parties before the application process can proceed.

Upon acceptance of the management plan, the landowner must have a registered land surveyor prepare a plat and legal description of the land being classified on the application forms provided by the biologist. The surveyor will typically utilize an aerial photograph, delineating the area to be classified, and the legal description from a recent deed to complete his survey requirements. Rarely should an on-site survey be necessary.

Once the application has been reviewed and approved by the inspecting biologist, the landowner must then properly record the document in the County Recorder's office in the county in which the land is located. The landowner then returns the document to the inspecting biologist who will make the necessary copies and notify the County Auditor to adjust the assessment on the land accordingly.

## ***LANDOWNER RESPONSIBILITIES***

The landowner is responsible for having a registered surveyor prepare a plat and legal description on the application form and having the application properly recorded. The fees associated with this process are the responsibility of the landowner.

Once entered in the program, the landowner is then responsible for posting the area with four signs, provided by the Division of Fish and Wildlife. The signs must be placed on the boundaries of the parcel at points most conspicuous to the public.

The landowner is also responsible for carrying out the minimum standards of wildlife management as specified in the management plan to maintain quality wildlife habitat. Depending on the landowner's wildlife goals, prescribed habitat management practices may include, but are not limited to, the periodic use of strip disking, strip mowing, prescribed burning, food plot rotation, legume inter-seeding, timber harvesting, woodland regeneration cuts, water level manipulation, and other practices designed to control

natural succession and maintain quality habitat for species of interest to the landowner.

Indiana Code also requires the landowner to complete and return an annual report, provided by the Division of Fish and Wildlife, each calendar year. The purpose of the annual report is to maintain current information on the status of lands enrolled in the program.

## ***VOLUNTARY WITHDRAWAL OF LAND***

Part or all of a classified wildlife habitat area can be withdrawn from classification at any time by completing and properly recording the withdrawal forms provided by the District Wildlife Biologist. Upon withdrawing land from classification, the owner must pay the property taxes which would have been paid on the land during the period in which the land was classified, plus interest at the rate of 10% per year. In no case can back taxes be collected for more than 10 years. In effect, this system guarantees the owner that the most it could cost to remove land from classification is the taxes that would have been paid had the land not been classified, plus 10% interest on those taxes. If the amount is not paid, it is treated in the same manner as delinquent taxes on real property.

## ***MANDATORY WITHDRAWAL OF LAND***

If the Division of Fish and Wildlife finds that the landowner has not complied with the provisions of IC 6-1.1-6.5 (The Classified Wildlife Habitat Program), the Division will notify the landowner. If the landowner refuses to make the changes necessary for compliance, the Division will initiate withdrawal procedures. The landowner is responsible for paying the back taxes as if the landowner had voluntarily withdrawn the parcel.

## ***QUESTIONS AND ANSWERS***

1. ***How long does the land remain classified?***

**ANSWER:** Until withdrawn by the owner or mandatorily withdrawn by the Division due to non-compliance.

2. ***How does the sale or inheritance of the land affect the classified land?***

**ANSWER:** The land remains under classification unless: the new owner legally withdraws it.

3. ***Can a previously classified area be subdivided between two different ownerships?***

**ANSWER:** Yes, however, both parcels must meet the minimum acreage requirements and a new application (including new plat and legal description) must be properly completed and recorded for each of the parcels. Contact your biologist before proceeding.

4. ***Can additional acreage be added to an existing classified area?***

**ANSWER:** Yes, however, a new application (including new plat and legal description) must be properly completed and recorded that describes the entire parcel, both the existing area, plus the new acreage.

5. ***Are classified wildlife habitat areas protected against trespassing?***

**ANSWER:** The Division of Fish and Wildlife does not become involved in the ownership or control of the property. Other than the required classified area designation signs, additional posting of the property is left to the discretion of the landowner.

6. ***Can classified wildlife habitat areas be hunted or trapped?***

**ANSWER:** Classification does not change the hunting or trapping status of the property. State law

requires hunters and trappers to obtain landowner permission before entering onto privately owned lands.

7. ***How often are classified wildlife areas reinspected?***

**ANSWER:** The Division of Fish and Wildlife is required to reinspect classified areas at least once every 5 years.

8. ***What is meant by “good stand of vegetation”?***

**ANSWER:** All land entering the program must contain a good stand of vegetation capable of supporting wildlife. The Division interprets this to mean a diverse stand of vegetation, other than large, monotypic stands of vegetation or parcels dominated by monotypic stands of vegetation, such as fescue, brome, or reed canarygrass. It also means that areas previously cultivated must be seeded to a diverse stand of vegetation prior to enrollment.

9. ***What is a “native forest land” or “forest plantation”?***

**ANSWER:** The Classified Forest Act defines “native forest land” as a contiguous tract of trees at least 10 acres in size that has never been plowed or cultivated and contains at least 40 square feet of basal area per acre, or at least 1,000 timber producing trees, of any size, per acre. Similarly, “forest plantation” is defined as a contiguous tract at least 10 acres in size that has been cleared which has growing on it a good stand of timber producing trees.

10. ***Does a landowner have to obtain permission from the Division to cut firewood or sell timber on the stump?***

**ANSWER:** No, provided that the activity does not destroy the wildlife habitat value of the wooded portion of the tract.

11. ***Are Christmas tree plantations eligible for classification under the law?***

**ANSWER:** No person may cultivate or harvest crops on land classified as wildlife habitat, except crops cultivated or harvested solely for wildlife food and cover. This would eliminate Christmas tree plantations, orchards and nurseries, unless they have been abandoned.